REMARKS

Reconsideration of the application is respectfully requested. Claims 1-12 were rejected in the above-identified Office Action and remain pending. Claims 1 and 2 have been amended. Claims 13 and 14 have been added.

NEW CLAIMS / CLAIM AMENDMENTS

Claims 1 and 2 have been amended and claims 13 and 14 have been added. No new matter has been added. In particular, support for these claims can be found in Figure 2 and the accompanying text on pages 6-7 of the specification. In particular, on the first full paragraph of page 7, it states:

> "The present invention enables a user to navigate from one activity to another directly, without having to first back track up to a top activity level before navigating to the new activity of interest, and navigate down."

Thus, a user may navigate between the various states shown in Figure 2 without returning to a top activity level. Referring now to amended claim 1, Call SA1 could be any state of a first activity (Call), Chat SA1 could be an initial state of a second activity (Chat), Chat SA2 could be a selected state of the second activity, and FM SA2 could be any state of a third activity (FM). A user could navigate in a sequence from Call SA1 to Chat SA1, then from Chat SA1 to Chat SA2, then from Chat SA2 to FM SA1. The device would then save Chat SA2 to allow subsequent reentry to Chat SA2 from at least one state of at least one activity other than the Chat activity without interveningly navigating to another state capable of receiving user input. (See Figure 4, element 410.) This is just one example of many possible examples, and is not meant to be limiting in any sense.

Thus, Applicants submit that one of ordinary skill would understand from the original disclosure that Applicants were in possession of the invention claimed in claim 1.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

In the above captioned office action, Examiner has rejected claims 1-12 under 35 U.S.C. §102(e) as being unpatentable over US Pat No. 6,415,164 B1 issued to Blanchard et al ("Blanchard").

A. Claims 1-4, 8-10 and 13-14

Amended claim 1 claims a mobile communication device comprising:

a plurality of functions to support a plurality of activities to be performed using the mobile communication device, the activities including at least a call activity;

a navigation button; and

a menu driver to facilitate a user to navigate directly from one activity to another, in response to user inputs provided through the navigation button, the menu driver adapted to:

facilitate a user in navigating, in a sequence comprising navigating from any state of a first activity to an initial state of a second activity, from the initial state of the second activity to a selected state of the second activity, and from the selected state to any state of a third activity, each facilitated without interveningly navigating to any other navigational states capable of receiving user input, the second activity different from the first and third activities;

saving the selected state of a second activity to enable subsequent re-entry into the selected state from at least one state of at least one activity other than the second activity *without interveningly navigating to any other navigational state capable of receiving user input*.

Examiner cites Blanchard Figure 3 and column, lines 7-28 for the proposition that the mobile device of Blanchard discloses the menu driver of the mobile device of claim 1.

Examiner reads the five "headers" of Blanchard (Home, Phone Book, Mailbox, Security, and Tools) shown in the top row of Figure 3 as "activities" and each of the display screens associated with selectable features as "states" of those activities. Under this reading of Blanchard, displays 330, 331, and 332 would be states of activity "Mailbox". The cited text of Blanchard discloses only that a user may move right and left between the five parent screens of the mobile phone (e.g. screens 210, 320, 330, 340, and 350) and up and down between the various selectable features of each of the five headers (e.g. Home, Phone Book, Mailbox, Security, and Tools). This means that a user pressing the right or left key will always move to a parent screen of the adjacent "activity", and never return to a previously accessed lower screen *without interveningly navigating to the parent screen*.

Because the navigation of Blanchard has this limitation, Applicants submit that amended claim 1 does not read on the Blanchard device. With reference to Figure 3 of Blanchard, the Blanchard device could navigate from state 210 ("any state of a first activity") to state 320 ("an initial state of a second activity") to state 321 ("a selected state of the second activity") to state 330 ("any state of a third activity") as required by claim 1. However, the only way that the Blanchard device could allow a user to return to state 321 ("selected state") from any state in any activity not the phone activity is by way of *interveningly navigating the user to state 320* ("initial state"). Thus, the device of Blanchard fails to disclose "saving the selected state of a second activity to enable subsequent re-entry into the selected state from at least one state of at least one activity other than the second activity *without interveningly navigating to any other navigational state capable of receiving user input*". Therefore, Applicants respectfully submit that Blanchard fails to disclose, either explicitly or inherently, all elements of claim 1 as required to sustain a §102 rejection for lack of novelty. Thus, claim 1 is patentable over Blanchard.

Furthermore, applicants submit that it would not have been obvious to one of ordinary skill in the art under 35 U.S.C. §103(a) to modify the device of Blanchard to achieve the device of claim 1. The purpose of Blanchard is to present a mobile phone display that optimizes the use of display space. (See Blanchard column 1, lines 52-62.) It would not have been useful to include a device driver of claim 1 to achieve this purpose because saving the selected state of a second activity to enable subsequent re-entry into the selected state is completely unrelated to display space. Thus, there could have been no suggestion to modify the device of Blanchard to achieve claim 1.

Claims 2-4 and 13-14 depend from claim 1 incorporating its limitations. Thus, for at least the reasons stated above, claims 2-4 and 13-14 are also patentable over Blanchard.

Independent method claim 8 contains in substance the same limitations as claim 1. Further, claims 9-10 depend from claim 8 incorporating its limitations. Thus, for at least the reasons stated above, claims 8-10 are also patentable over Blanchard.

B. Claims 5-7 and 11-12

Claim 5 claims a mobile communication device comprising:

a plurality of functions to support a plurality of activities to be
performed using the mobile communication device, the activities including at
least a call activity;
a navigation button; and
a menu driver to facilitate a user to navigate among **selectable sub-
activities of an expandable sub-activity of one activity**, including presenting
the selectable sub-activities as a scrollable list nested in a presentation of the
activity, the scrollable list replacing the expandable sub-activity and
displaying only a one of the selectable sub-activities at a time.

Thus, claim 5 requires, among other things, a menu driver to navigate among: (1) one
activity (2) expandable sub-activities of the one activity, and (3) selectable sub-activities of
the expandable sub-activities of the one activity. On page 4 of the above-captioned office
action, Examiner states:

"Fig. 3 clearly shows a scrollable list nested in a presentation of the activity in
any one of Fig 3, elements 210, 320, 330, 340, and 350."

Therefore, Examiner reads elements 210, 320, 330, 340, and 350 as "activities".
From this reading of Blancahrd, two possibilities emerge. Examiner may be reading "Txt
Msg" (331) and "Call Logs" (332) (to take two examples from figure 3) as *expandable* sub-
activities of activity "Mailbox" (330). Alternatively, Examiner may be reading elements 331
and 332 as *selectable* sub-activites.

Applicants submit that one can not read elements 331 and 332 as the required
expandable sub-activities and as the required *selectable* sub-activities at the same time.
Although these elements may in fact be both "selectable" and "expandable", claim 5 requires
that the selectable sub-activities be "**of** an expandable sub-activity of one activity". Elements
331 and 332 are not selectable sub-activities **of** themselves and one is not a selectable sub-
activity **of** the other. Therefore, elements 331 and 332 can arguably be construed as either
the expandable sub-activities or as the selectable sub-activities of claim 1– *but not both*.

Thus, Applicants submit that Blanchard fails to disclose each and every element of
claim 5 and, accordingly, that claim 5 is patentable over Blanchard. Claims 6-7 depend from
claim 5, incorporating its limitations. Thus, for at least these reasons, claims 6-7 are also
patentable over Blanchard. Independent claim 11 contains in substance the same limitations

as claim 5; also claim 12 depends from claim 11 incorporating its limitations. Thus, for at least the reasons discussed above, claims 11-12 are also patentable over Blanchard.

CONCLUSION

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1542; if any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,
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